

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION

JOSEPH MUNDY,

Plaintiff,

v.

YELLOW TRANSPORTATION COMPANY, INC.,
SHORT-TERM DISABILITY PLAN, Designated for
Employees of Yellow Transportation, Inc.; YELLOW
TRANSPORTATION COMPANY, INC. LONG-
TERM DISABILITY PLAN, Designated for
Employees of Yellow Transportation, Inc.; CIGNA
CORPORATION, in its capacity as Administrator of
the Plans;

Defendants.

Case No.: 08 C 1576

Judge Bucklo

Magistrate Judge Valdez

**AGREED MOTION FOR EXTENSION OF TIME ON BEHALF OF ALL
DEFENDANTS**

Defendant, CIGNA CORPORATION, which is not a proper defendant to this case, by its undersigned counsel, respectfully moves this Honorable Court for a 21 day extension of time, up to May 29, 2008, in which all defendants will answer or otherwise plead to plaintiff's complaint, stating as follows:

1. Plaintiff filed this action seeking to recover benefits under a short-term disability ("STD") plan and long-term disability ("LTD") plan established by his former employer, Yellow Transportation, Inc. ("YTI"). Plaintiff has sued the plans and CIGNA Corporation, which he alleges acted as the claim administrator for the plans.

2. CIGNA Corporation's counsel has asked plaintiff's counsel to substitute Life Insurance Company of North America ("LINA") in place of CIGNA Corporation on the grounds that LINA decided, on behalf of the plans, his benefit claims, LINA insured and administered benefits under the LTD plan, and LINA administered benefits under the STD plan. CIGNA Corporation had no involvement in the plans or the benefit determinations at issue.

3. Because LINA insured the benefits under the LTD plan, it is expected that the LTD plan will tender the defense of this case to LINA and that the LTD plan will be represented by the undersigned counsel.

4. The defendants seek a 21 day extension of the answer deadline, from May 8, 2008 to May 29, 2008, so that the LTD plan's anticipated tender of the case to LINA can be resolved and the plaintiff can amend the complaint to substitute LINA in the place of CIGNA Corporation. This extension should enable the parties to avoid motion practice regarding whether CIGNA Corporation is a proper defendant.

5. Both the STD plan and LTD plan join in this motion.

6. In a phone conversation on May 7, 2008, counsel for the plaintiff stated that he agreed to the 21-day extension requested in this motion.

WHEREFORE, Defendant, CIGNA CORPORATION, respectfully requests that this Honorable Court grant all defendants a 21 day extension of time, up to May 29, 2008, in which to answer or otherwise plead to plaintiff's complaint.

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Respectfully submitted:

CIGNA CORPORATION

By: /s/ Peter E. Pederson
One of its Attorneys